

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

HOLLIE K. WIGGINS and  
LARRY F. WIGGINS, JR.,

Plaintiffs,

V.

BELK, INC.

Defendant.

)  
)  
)  
)  
)  
) Civil Action File No.:  
) 4:11-CV-00088-BAE-GRS  
)  
)  
)

# AFFIDAVIT

Before me appeared Nicholas J. Laybourn, who having first been duly sworn stated the following:

1. I am over eighteen (18) years of age and mentally competent to testify regarding statements set forth in this Affidavit. These statements are made based on my personal knowledge.

2. I am an attorney and I am employed by Hunter Maclean Exley & Dunn, P.C.

3. At the request of Arnold C. Young, I went to Belk's at Oglethorpe Mall, Savannah, Georgia, on February 18, 2011 and took photographs numbered 0006 and 0007, attached hereto as Exhibit A and Exhibit B respectively. These photographs are true and accurate depictions of the electrical floor device on which I am advised Hollie K. Wiggins tripped or otherwise was injured in December 2009. Both photographs attached are of the same electrical floor device which is located in the Linen Department on the second floor of Belk's Department Store in a carpeted area. I took the photographs of the electrical floor device at the

top right of the diagram, attached hereto as Exhibit C, next to the figure 3, where the "X" is located.

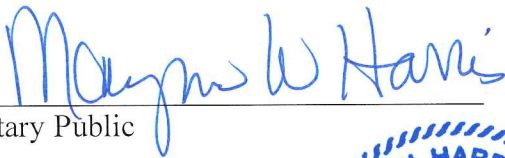
I have reviewed this Affidavit for accuracy and have had the opportunity to make changes or additions. Having done so, I can state that it is true and correct based upon my personal knowledge.



Nicholas J. Laybourn

STATE OF GEORGIA  
COUNTY OF CHATHAM

Sworn to and subscribed before me  
This 13<sup>th</sup> day of October, 2011.



Notary Public

My Commission Expires:





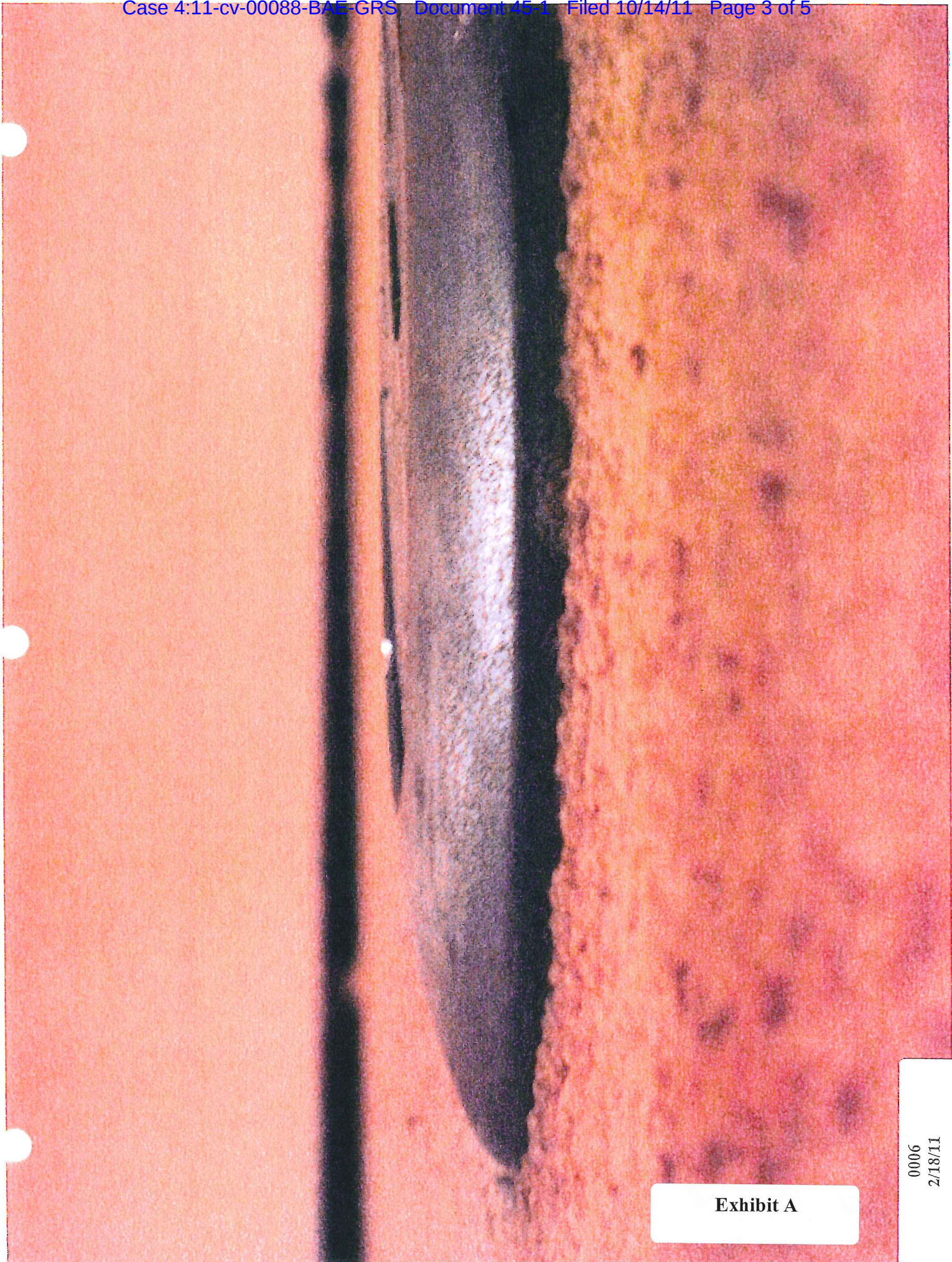


Exhibit A

0006  
2/18/11





Exhibit B

0007  
2/18/11



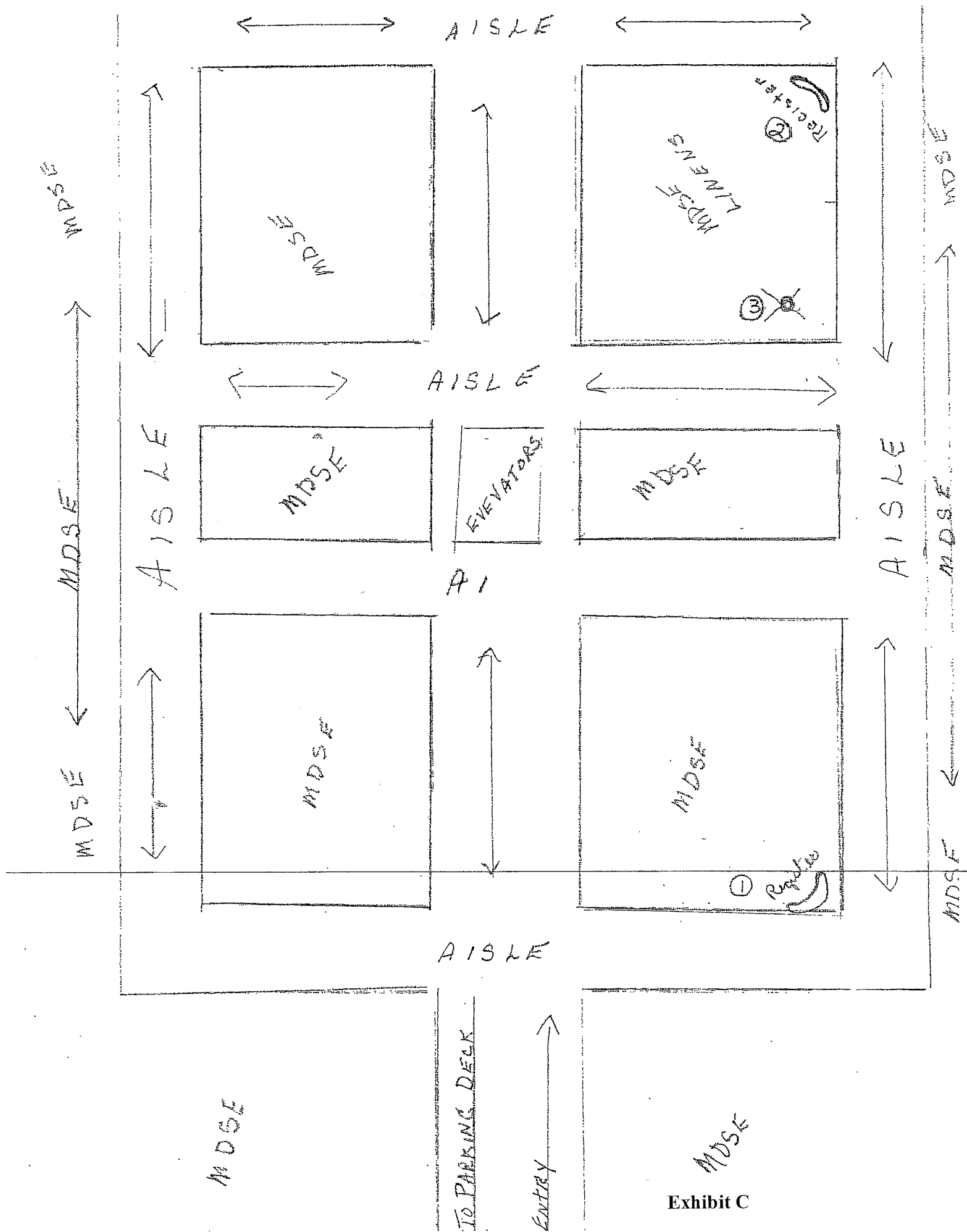


Exhibit C